



*D. Lawrence*  
*DeMat*  
*#12/a*  
*5/20/03*

Docket No. 70116/49945

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICANT: Cesarczyk, Edward J.  
U.S.S.N.: 09/778,125 Art Unit: 1743  
FILED: February 6, 2001 Examiner: L. Alexander  
FOR: DIAGNOSTIC TESTING DEVICE AND METHOD OF USE  
THEREOF

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CERTIFICATION UNDER 37 CFR § 1.8(a) and 1.110

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as "Express Mail Post Office to Addressee" Mailing Label No. EV343730314US in an envelope addressed to the: Mail Stop: RCE Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 5/13/2003

By:

*Bmerino*

Beth-Ann Merino

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Mail Stop: RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 02209-9169

Sir:

PRELIMINARY AMENDMENT

This application is an RCE of prior U.S.S.N.: 09/778,125, filed on February 6, 2001. Before consideration on the merits, please amend the above-identified application as set forth herein.

IN THE CLAIMS:

Please amend claim 1 to read as follows:

1. A specimen collecting and testing device comprising:  
an elongate, hollow housing having a proximal end and a distal end and a hollow portion;  
at least one test membrane or sample collecting strip positioned within the hollow portion of the housing, the test membrane carrying diagnostic test chemistry;

*Q1*

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02 FC:2253 465.00 OP

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04 FC:2202 45.00 OP

FC 2201 42.00 OP